

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

LIGTEL COMMUNICATIONS, INC.,

Plaintiff,

v.

BAICELLS TECHNOLOGIES INC.;
BAICELLS TECHNOLOGIES NORTH
AMERICA, INC.,

Defendants.

Case No. 1:20-cv-00037-HAB-SLC

DECLARATION OF JESSE RAASCH

I, Jesse Raasch, declare the following:

1. I am a citizen of the United States of America, domiciled in the State of Wisconsin.

2. I am employed as Chief Technology Officer and Vice President, Emerging Business at Baicells Technologies North America Inc. ("Baicells"), a position I have held since April 2015.

3. Prior to serving in my current position, I was employed as Network System Engineer for WiConnect Wireless/Computer Connections of Wisconsin. I have more than a decade of experience in network engineering and design in the wireless internet service provider industry.

4. I have read the Complaint, Declaration of Randy Mead dated January 20, 2020, and Declaration of Josh Wentworth dated January 20, 2020.

5. Baicells manufactures and sells Long-Term Evolution (“LTE”) wireless broadband equipment to operators of wireless networks. LTE is a telecommunications standard used for the high-speed transfer of data over cellular networks.

6. Baicells is not an operator of commercial LTE wireless networks, and Baicells does not provide internet services or mobile phone services to its customers.

7. LigTel, on the other hand, is a commercial wireless network operator. I understand that LigTel provides broadband internet, television, and wireless telephone service in seven counties in northeastern Indiana, and has approximately 1,500 wireless service customers in northeastern Indiana.

8. In short, Baicells and LigTel are not competitors. Baicells provides equipment to wireless network operators, whereas LigTel is a wireless network operator providing services to end users. Baicells and LigTel provide different types of goods and services to wholly distinct categories of customers.

9. Baicells does not and has never attempted to “pass off” its goods or services as being associated with LigTel. In fact, Baicells would derive no benefit from doing so, as LigTel provides an entirely different set of goods and services to an entirely different category of consumers.

10. A Home Network Identity (HNI) code or Public Land Mobile Network (PLMN) code consists of a three-digit Mobile Country Code (“MCC”) and either a two-digit or three-digit Mobile Network Code (“MNC”). Together, the MCC and MNC make up the HNI/PLMN code, which may consist of either five or six digits.

11. 31198 is not LigTel’s HNI/PLMN Code. The HNI Code of 31198 has never been registered to or used by LigTel. 311-980 is LigTel’s HNI Code. Baicells has never adopted,

implemented, used, encouraged, instructed, or directed third parties to adopt, implement, or use LigTel's HNI Code. Baicells has historically used an HNI/PLMN code of 31198, although it is now nearing the completion of its transition to HNI/PLMN code 314-030.

12. I understand that in or about November 2015, research and development engineers adopted the HNI/PLMN code 31198—with the first three digits of “311” simply representing a country code for the United States—after determining that the full list of assigned codes in the United States contained no five-digits numbers.

13. One type of Baicells equipment that utilizes the HNI Code is an “eNodeB.”

14. An “eNodeB” is an LTE term that refers to the base station that facilitates wireless communication between an operator network and end-user equipment, such as customer premises equipment (“CPEs”), computers or mobile devices. The antenna of the eNodeB is commonly installed on radio towers. Baicells produces and sells “eNodeB” base stations to its customers.

15. Baicells previously directed its network-operator customers to program their eNodeBs to broadcast the HNI/PLMN code 31198 in order to enable the eNodeBs to connect to Baicells' CloudCore Evolved Packet Core (“EPC”), which had also been programmed to use the HNI/PLMN code of 31198. The function of the CloudCore EPC is to reduce network costs for network operators by moving certain hardware functions to a general-purpose, cloud-based computing platform.

16. The HNI/PLMN code 31198 has also historically been found in the SIM cards that reside on end-user devices that connect to networks operated by Baicells' customers. “SIM” stands for “subscriber identification module,” and a SIM card is an integrated circuit that securely stores the international mobile subscriber identity (“IMSI”) number and its related key,

which are used to identify and authenticate subscribers on end users' devices, such as CPEs, mobile phones and computers.

17. The IMSI number embedded on an end-user SIM card consists of the HNI/PLMN code, combined with a Mobile Subscription Identification Number ("MSIN").

18. When viewed as plain text, the IMSI appears to be a string of numbers. When the IMSI is coded on a SIM card, however, the MCC, MNC, and MSIN are each coded separately. As a result, Baicells' PLMN of 31198 is encoded as 0x13F189, whereas LigTel's HNI Code of 311-980 will be encoded as 0x139108.

19. This difference in coding means that the SIM cards utilized by the end users of Baicells network-operator customers will not be mistakenly recognized as residing on the LigTel network and will not be able to gain unauthorized access to LigTel's network.

20. Unlike eNodeBs (base stations), SIM cards do not broadcast the HNI/PLMN code. Rather, the code is used only as part of the IMSI, which is part of the mechanism to obtain access to an authorized wireless network.

21. HNI/PLMN codes are not transparent to end users. I would not expect an ordinary consumer to have any awareness of the HNI/PLMN code used by its wireless service provider or embedded within the IMSI found on a SIM card within an end-user device.

22. I am unaware of any wireless service provider that has ever used its HNI/PLMN code to advertise its services, to identify its brand to consumers or potential.

23. Following its meeting with LigTel in July 2019, Baicells began the process of transitioning to HNI code 314-030, which was assigned to Baicells on July 29, 2019.

24. In August 2019, Baicells put together a plan for developing software and performing testing in preparation for the transition to the new HNI code of 314-030.

25. In September 2019, Baicells began testing in preparation for the transition to the new HNI code of 314-030.

26. In October of 2019, Baicells began purchasing SIM cards with the new HNI code of 314-030.

27. Starting from October 25, 2019, all SIM cards shipped by Baicells have been programmed with the new HNI code of 314-030.

28. In November 2019, Baicells began updating each instance of 31198 in its instructional materials to refer to the new HNI code of 314-030.

29. Also in November 2019, Baicells began asking certain customers to test the new HNI Code of 314-030. As anticipated, Baicells encountered complications and software bugs, and Baicells has worked diligently to resolve these issues to ensure a smooth transition for all of its customers.

30. As stated in the most recent status report to IOC/ATIS, dated March 18, 2020, Baicells has completed the upgrade of firmware software necessary to support its customers' transition to HNI Code 314-030, and Baicells is engaged in an aggressive campaign to convince operators to upgrade all eNodeB software. The completion of the eNodeB software upgrade will result in all operator eNodeBs broadcasting the HNI Code 314-030.

31. Baicells expects to that all operators will complete the eNodeB software upgrade by July 2020, resulting in all operator eNodeBs broadcasting the HNI Code 314-030.

32. Once Baicells completes the migration of all network operators to broadcast the new HNI/PLMN Code 314-030, there will be no risk of the sort of confusion related to spectrum interference between network operators that led to the meeting between Baicells and LigTel in July 2019.

33. In addition, Baicells is currently working to release new SIM cards with the updated HNI code to sales channels and distributors to send to end users for replacement. However, supply chain disruptions and complications due to COVID-19 have delayed some future shipments.

34. In the interim, end users of Baicells network-operator customers with SIM cards programmed with HNI Code 31198 cannot cause interference with LigTel's network or equipment, because SIM cards do not broadcast the PLMN. Rather, SIM cards are used to authenticate end users to a network, and each SIM card is programmed with unique authentication keys. It is not possible for a SIM card to authenticate to a network unless the exact authentication keys and associated International Mobile Subscriber Identity ("IMSI") number are programmed into the network operator's EPC, also known as the core network. Thus, end users cannot cause interference with LigTel's network or equipment.

35. I recommended that Baicells consider hiring Ronald Mao after receiving his resume in August of 2017 and interviewing him in September of 2017. True and correct copies of internal email chains discussing the hiring of Mr. Mao are attached hereto as Exhibit 1 (BAICELLS-000013474-78) and Exhibit 2 (BAICELLS-000013483-87).

36. As part of his resume, Mao provided a list of customers he served when he was formerly employed at Huawei Technologies USA, which included nineteen customers, including LigTel. However, Baicells' decision to hire Mr. Mao had nothing to do with his work for LigTel.

37. Patrick Leary, then President of Baicells Technologies North America, interviewed Mr. Mao in mid-December of 2017 along with Minchul Ho (Vice President of Operations and Vertical Markets, Baicells Technologies North America), Bob Stone (Director of

Carrier Markets, Baicells Technologies North America), and Cameron Kilton (then Director of Tier 2 and Vertical Engineering Services, Baicells Technologies North America). Leary found Mao to be very smart and likable with the right attitude and experience. Leary's report on the interview focused on the fact that Mao knew a great deal about Baicells and seemed to be behind Baicells' focus on transparency, innovativeness, and market aggressiveness. *See Exhibit 1.*

38. In short, LigTel was never a part of the interview process or hiring discussion regarding Mao, and did not play any role in Baicells' decision to hire him.

39. Mao started at Baicells on January 1, 2018.

40. During my employment prior to Baicells, I never had any knowledge of, or involvement with, LigTel in any capacity.

41. I do not have, and have never had, possession of or access to any documents or information that LigTel alleges to be its confidential or trade secret information including, but not limited to: LigTel's encryption code; network architecture, design, and engineering; or the operational layout of LigTel's equipment, core, and servers.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 3, 2020 (date) in the State of Wisconsin, United States of America.



Jesse Raasch

EXHIBIT 1

From: Patrick Leary [patrick.leary@baicells.com]
Sent: 12/18/2017 10:47:55 AM
To: '梁欣刚'(Scott Liang)' [liangxingang@baicells.com]; 'sunlixin' [sunlixin@baicells.com]
CC: 'Jesse Raasch' [jesse@baicells.com]; 'Wei Bai' [baiwei@baicells.com]
Subject: RE: 回复 : 回复 : 转发 : Resume

Guys, I spoke with Ronald. I like him very much. Very smart guy, he has the right attitude and experience. He even has extensive fixed knowledge. He knows a good amount about Baicells. Our brand efforts have been good because he commented on our transparency, innovativeness and market aggressiveness. He said the US Huawei team feared us. 😊

Today Minchul and Bob will talk to him, and then I'll have Cameron speak with him.

He's a really good fit. Actually maybe the perfect fit and it is the perfect time to have him join.

Thank Jesse and Mr. Sun for bringing him to our attention.

Patrick Leary
Baicells

From: 梁欣刚(Scott Liang) [mailto:liangxingang@baicells.com]
Sent: Saturday, December 16, 2017 10:20 AM
To: 'sunlixin' <sunlixin@baicells.com>; 'Patrick Leary' <patrick.leary@baicells.com>
Cc: 'Jesse Raasch' <jesse@baicells.com>; 'Wei Bai' <baiwei@baicells.com>
Subject: 答复: 回复 : 回复 : 转发 : Resume

Yes, thanks Lixin to correct me. He is not a typical salesperson, his official position is product manager or technical sales. Please check his linkedin profile.

After 2011, his focus was carrier market for about two to three years, then he transferred to the vertical/enterprise market to sale eLTE solutions since the last two years.

Best Regards
Scott

ked in 领英



Ronald Mao

429

位联系人

Results-Oriented Product Manager | Innovate
Product Solutions | Drive Technical Sales
美国 大洛杉矶地区 | 电信

目前就职 Huawei Technologies USA

曾经就职 Ericsson, Onix Microsystems, Lucent
Technologies

教育背景 DePaul University

推荐信 3 位会员推荐了 Ronald Mao

查看Ronald Mao的完整档案。 注册完全免费！

加入领英，找找同事同学，结识业界同行，与全球 500 百万职场人士一起驰骋职场。

查看Ronald的完整档案

查看职业档案的其他语言版本

看过本页的会员还看了



Amy Moreno



Stan Kelley
Operations Executive



Michael McFarlin
Program Manager at DynC
International



Yuzhi Liu



Matthew Leone
3D vision specialist



Brian Fukumoto
Global Supply Chain &
Manufacturing Operations

发件人: sunlixin [mailto:sunlixin@baicells.com]

发送时间: 2017年12月16日 23:12

收件人: 梁欣刚(Scott Liang); Patrick Leary

抄送: Jesse Raasch; Wei Bai

主题: 回复: 回复: 转发: Resume

Hi,

I believe he should be sales engineer or technical sales but not sales man when he join the sales team after 2011?

来自钉钉专属商务邮箱

发件人: 梁欣刚(Scott Liang) <liangxingang@baicells.com>

日期: 2017年12月16日 23:06:01

收件人: 'Patrick Leary' <patrick.leary@baicells.com>;

'sunlixin' <sunlixin@baicells.com>

抄送: 'Jesse Raasch' <jesse@baicells.com>; 'Wei Bai' <baiwei@baicells.com>

主题: 答复: 回复: 转发: Resume

Sure, I worked with Ronald when I was expatriated at San Diego in charge of the local US wireless standard team. Ronald is a standard veteran especially on WiMAX camp, he participated many groups of the WiMAX Forum for many years, NWG, TWG, CWG, etc. A lot of connections there. He acted as chair/vice-

chair/secretary level positions at that time as far as I can remember. So what I can say about Ronald is technically very capable.

Since 2011, Huawei shut down the wireless infrastructure dept in San Diego, most of the team members joined Qualcomm, while Ronald transferred to US Sales team, starting to take care of the enterprise market and vertical markets as a salesman, e.g. universities, schools. He figured out that the equipments from H/E/N/Z are quite expensive while our products are a good fit for this type of small customers. So he showed great interest to join us. I did not get a chance to comment on his sales performance since I also transferred to Ottawa since 2011.

Hoping this helps. Thanks.

Best Regards
Scott

发件人: Patrick Leary [<mailto:patrick.leary@baicells.com>]
发送时间: 2017年12月16日 22:51
收件人: sunlixin
抄送: 梁欣刚; Jesse Raasch; Wei Bai
主题: Re: 回复: 转发: Resume

Okay, thanks. Scott, can you share with me your opinions?


Patrick Leary
President
Baicells North America, Inc.
972.800.1157

On Dec 16, 2017 9:34 AM, sunlixin <sunlixin@baicells.com> wrote:
No, but I had heard of him. Liang Xingang should know him well.

来自钉钉专属商务邮箱

在(日期)2017年12月16日, 在(时间)下午10:12, Patrick
Leary<patrick.leary@baicells.com> 写到
Excellent. Thank you Mr. Sun. Do you know him from your time at
Huawei?

Patrick Leary
President
Baicells North America, Inc.
972.800.1157
On Dec 16, 2017 3:59 AM, sunlixin <sunlixin@baicells.com> wrote:
Hi, Patrick,
This is Ronald Mao's resume which Jesse has recommended to you, I believe he can
be a good candidate of product management.
You can have a talk to him for a better feeling of his knowledge and skills.



Lixin Sun

Mob: (+86) 139-1062-4296
EMAIL: sunlixin@baicells.com

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发件人: sunlixin <sunlixin@baicells.com>
发送时间: 2017年10月12日(星期四) 06:22
收件人: baiwei <baiwei@baicells.com>
主 题: 转发: Resume

发件人: 梁欣刚 (Scott Liang) <liangxingang@baicells.com>
日 期: 2017年08月27日 14:42:37
收件人: sunlixin@baicells.com <sunlixin@baicells.com>;
dingyingzhe <dingyingzhe@baicells.com>
主 题: 转发: Resume

发件人: Ronald Mao <ronald.mao.usa@gmail.com>
日 期: 2017年08月26日 02:51:55
收件人: <liangxingang@baicells.com>
主 题: Resume

欣刚,

附件是我的简历。我手上的客户是这些。

Customer
Norther Michigan University
Kings County Office of Education
Imperial County Office of Education
San Bernardino County Office of Education

Location
Marquette, MI
Hanford, CA
El Centro, CA
San Bernardino, CA

Flat Wireless	Lubbock, TX
Leaco	Albuquerque, NM
LigTel Communications	Ligonier, IN
Blue Wireless	Buffulo, NY
SpeedConnect	Frankenmuth, MI
Calpines Wireless	Oraville, CA
Cambio	Chestertown, MD
Pointe Tapatio HOA	Phoenix, AZ
Lindsay Unified School District	Lindsay, CA
Lubbock Independent School District	Lubbock, TX
Monterey School District	Monterey, CA
Woodlake Unified School District	Woodlake, CA
Race Communications	MillBrae, CA
Northland Pioneer College	Holbrook, AZ
Antelecom	Lancaster, CA

EXHIBIT 2

From: Patrick Leary [patrick.leary@baicells.com]
Sent: 12/16/2017 10:03:23 AM
To: liangxingang@baicells.com
CC: Jesse Raasch [jesse@baicells.com]; Wei Bai [baiwei@baicells.com]; 'sunlixin' [sunlixin@baicells.com]
Subject: Re: 答复: 回复 : 回复 : 转发 : Resume

Thanks Scott. With both Enterprise small cell and outdoor deep experience with carriers he could be a good fit for senior level PLM for both our big future markets.

Patrick Leary
President
Baicells North America, Inc.
972.800.1157

On Dec 16, 2017 10:19 AM, "梁欣刚(Scott Liang)" <liangxingang@baicells.com> wrote:

Yes, thanks Lixin to correct me. He is not a typical salesperson, his official position is product manager or technical sales. Please check his linkedin profile.

After 2011, his focus was carrier market for about two to three years, then he transferred to the vertical/enterprise market to sale eLTE solutions since the last two years.

Best Regards

Scott

linkedin.com/in/ronald-mao-b254a21

ked in 领英







Ronald Mao
Results-Oriented Product Manager | Innovate Product Solutions | Drive Technical Sales
美国 大洛杉矶地区 | 电信

429 位联系人

目前就职 Huawei Technologies USA
曾经就职 Ericsson, Onix Microsystems, Lucent Technologies
教育背景 DePaul University
推荐信 3 位会员推荐了 Ronald Mao

查看职业档案的其他语言版本

看过本页的会员还看了

-  **Amy Moreno**
-  **Stan Kelley**
Operations Executive
-  **Michael McFarlin**
Program Manager at DynC International
-  **Yuzhi Liu**
-  **Matthew Leone**
3D vision specialist
-  **Brian Fukumoto**
Global Supply Chain & Manufacturing Operations

查看 Ronald Mao 的完整档案。
注册完全免费！

加入领英，找找同事同学，结识业界同行，与全球 500 百万职场人士一起驰骋职场。

查看 Ronald 的完整档案

发件人: sunlixin [mailto:sunlixin@baicells.com]

发送时间: 2017年12月16日 23:12

收件人: 梁欣刚(Scott Liang); Patrick Leary

抄送: Jesse Raasch; Wei Bai

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日 期 : 2017年12月16日 23:06:01

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收件人: sunlixin

抄送: 梁欣刚; Jesse Raasch; Wei Bai

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President

Baicells North America, Inc.


972.800.1157

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You can have a talk to him for a better feeling of his knowledge and skills.



Lixin Sun

Mob : (+86) 139-1062-4296

EMAIL : sunlixin@baicells.com

-
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发件人：sunlixin <sunlixin@baicells.com>

发送时间：2017年10月12日(星期四) 06:22

收件人：baiwei <baiwei@baicells.com>

主 题：转发：Resume

发件人：梁欣刚(Scott Liang)<liangxingang@baicells.com>

日 期：2017年08月27日 14:42:37

收件人：<sunlixin@baicells.com><sunlixin@baicells.com>;
dingyingzhe<dingyingzhe@baicells.com>

主 题：转发：Resume

发件人：Ronald Mao<ronald.mao.usa@gmail.com>

日 期：2017年08月26日 02:51:55

收件人：<liangxingang@baicells.com>

主 题：Resume

欣刚，

附件是我的简历。我手上的客户是这些。

Customer

Norther Michigan University
Kings County Office of Education
Imperial County Office of Education
San Bernardino County Office of Education
Flat Wireless
Leaco
LigTel Communications
Blue Wireless
SpeedConnect
Calpines Wireless
Cambio
Pointe Tapatio HOA
Lindsay Unified School District
Lubbock Independent School District
Monterey School District
Woodlake Unified School District
Race Communications

Location

Marquette, MI
Hanford, CA
El Centro, CA
San Bernardino, CA
Lubbock, TX
Albuquerque, NM
Ligonier, IN
Buffulo, NY
Frankenmuth, MI
Oraville, CA
Chestertown, MD
Phoenix, AZ
Lindsay, CA
Lubbock, TX
Monterey, CA
Woodlake, CA
MillBrae, CA

Northland Pioneer College
Antelecom

Holbrook, AZ
Lancaster, CA